

May 18, 1983

LB 356

requirement and, in addition, in the instance of corporations it should apply to officers of the corporation. That was the intent and the purpose of the amendment is simply to make the bill conform to what we think was the original intent and it would have the effect of making everybody the same. That is they would all be subject to the criminal penalty whether they were officers of a corporation or whether they were simply individual persons. I would ask the adoption of the amendment.

SPEAKER NICHOL: Senator Cullan.

SENATOR CULLAN: Mr. President, I have reviewed the amendment. I think the amendment corrects what is probably a constitutional defect in current environmental law in the State of Nebraska because we do not provide any penalty, for example, for a partnership or other legal entity other than a corporation and I think that is probably unconstitutional. So I think that Senator Beutler's reading of the bill very carefully has proven to be very beneficial. I do support Senator Beutler's correction and I would urge your adoption of it.

SPEAKER NICHOL: Senator Newell.

SENATOR NEWELL: Mr. President, members of the Legislature, I have a little concern. I am not sure whether this amendment is germane and in deference to Senator Cullan I probably shouldn't ask that difficult question about whether or not the amendment is germane but I did promise myself to look very carefully at Senator Beutler's work from time to time. In this case, however, I think I will kind of try to ignore it and allow the amendment to go.

SPEAKER NICHOL: The question is, shall the bill be returned for a specific...did you want to close on the return, Senator Beutler?

SENATOR BEUTLER: No, I just wanted to thank Senator Newell for his uncharacteristic grace.

SPEAKER NICHOL: The question is, shall the bill be returned for this specific amendment? All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 31 ayes, 0 nays, Mr. President, on the motion to return the bill.

SPEAKER NICHOL: The bill is returned. Senator Beutler.

SENATOR BEUTLER: I move the adoption of the amendment, Mr. Speaker.